

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

RICHARD EDWARD BECKER

PETITIONER

VERSUS

CIVIL ACTION NO. 1:11cv6HSO-JMR

RON KING

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION  
AND DISMISSING PETITION FOR WRIT OF HABEAS CORPUS

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge John M. Roper [11] entered in this cause on July 8, 2013. The Court has thoroughly reviewed the findings in the Report and Recommendation, the record, and concludes that Becker's Petition for Writ of Habeas Corpus [1] filed pursuant to 28 U.S. C. § 2254, lacks merit and should be denied.

To date, no formal objection to the Report and Recommendation has been filed by Petitioner.<sup>1</sup> Where no party has objected to the Magistrate Judge's Report and Recommendation, the Court need not conduct a *de novo* review of it. *See* 28 U.S.C. § 636(b)(1) ("a judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court need only review the Report and Recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

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<sup>1</sup> The Acknowledgment of Receipt [12] was filed on July 12, 2013, and does not reflect a date of signing for the Report and Recommendation.

Having conducted the required review, the Court finds that the Magistrate Judge's Report and Recommendation thoroughly considered all issues and is neither clearly erroneous nor contrary to law. The Court, being fully advised in the premises, finds that the Magistrate Judge properly recommended that Becker's Petition for Habeas Corpus Relief should be denied. Said Report and Recommendation should be adopted as the opinion of this Court.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that, the Report and Recommendation [11] of Magistrate Judge John M. Roper entered on July 8, 2013, is adopted as the finding of this Court.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that, the Petition for Habeas Corpus [1] filed pursuant to 28 U.S.C. § 2254 is **DENIED**. A separate judgment will be entered in accordance with this order as required by Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED**, this the 5<sup>th</sup> day of August, 2013.

*s/ Halil Suleyman Ozerden*  
HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE